

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

TERESA FEYEN

Plaintiff,

v.

Case No. 13-C-1380

CAROLYN W. COLVIN,

**Acting Commissioner of the Social Security Administration
Defendant.**

ORDER

Plaintiff Teresa Feyen seeks judicial review of the denial of her application for social security disability benefits. Ordinarily, a plaintiff must pay a statutory filing fee to bring an action in federal court, 28 U.S.C. § 1914(a), but plaintiff requests leave to proceed in forma pauperis. Under 28 U.S.C. § 1915(a), an indigent party may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1).

Plaintiff has filed the required affidavit. Upon review of that affidavit, the court is satisfied that she lacks the ability to pay. Plaintiff is unemployed. Her husband works, but his net monthly income of \$2500 is largely subsumed by expenses. The couple own their residence, but they do not appear to have any equity. Plaintiff explains that she and her husband are currently filing for bankruptcy. Finally, plaintiff avers that she believes she is entitled to relief in this action, and on review of the complaint the court is unable to determine that the action is frivolous or that the complaint fails to state a claim.

THEREFORE, IT IS ORDERED that plaintiff's petition to proceed without prepayment of fees (R. 2) is **GRANTED**. The file will be returned to the Clerk of Courts for service on defendant.

Plaintiff is advised to provide defendant or her counsel with copies of all future motions or papers filed by plaintiff in this action.

Dated at Milwaukee, Wisconsin this 16th day of December, 2013.

/s Lynn Adelman

LYNN ADELMAN
District Judge